



PATENT
Atty. Docket No. ADI-075

#7
10-25-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Knoche et al.

SERIAL NUMBER: 09/920,439

ART UNIT: 3728

FILING DATE: August 1, 2001

EXAMINER: M.D. Patterson

TITLE: LIGHT RUNNING SHOE

Box Non-Fee Amendment
Commissioner for Patents
Washington, D.C. 20231

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TECHNOLOGY CENTER R3700

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Office action, Paper No. 6, mailed September 13, 2002, for which the period of response is set to expire one month thereafter on October 1, 2002, and which has automatically been extended to October 15, 2002, under 37 CFR § 1.7, Applicants respectfully request entry of this response, reconsideration, and withdrawal of the restriction requirement.

REMARKS

The Office action, Paper No. 6, has been carefully considered. Claims 1-36 are pending in the application. The application presently stands subject to a restriction requirement for containing claims directed to two inventions, grouped and characterized by the Examiner as follows:

- I. Claims 1-20 drawn to an article of footwear; and
- II. Claims 21-36 drawn to a method of molding.

Applicants provisionally elect Group I (claims 1-20), with traverse, expressly reserving the right to file a divisional application directed to the subject matter of the remaining non-elected claims present in the application.

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Applicants respectfully request reconsideration and withdrawal of the restriction requirement. The claims are related, insofar as they are all applicable, for example, to a sole for an article of footwear, wherein the sole includes a sole layer and a mesh layer at least partially embedded therein, or to methods for manufacturing such soles.

Applicants respectfully submit that a search of the subject matter of the elected claims should also uncover references relevant to the examination of the subject matter of the non-elected claims. Accordingly, Applicants respectfully submit that the claims are not so unrelated as to constitute such a serious burden on searching and examination as would entail imposition of the restriction requirement. Consideration of all of claims 1-36 on the merits are respectfully requested.

In order to advance the prosecution of this application or resolve any outstanding issues, the Examiner is cordially invited to telephone Applicants' undersigned representative at any time during prosecution of this application.

Respectfully submitted,

Date: October 15, 2002


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